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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/538,902	05/15/2006	Jeffrey B. Kaplan	14233.0038USWO	8859

7590 08/22/2007

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EXAMINER	
SLOBODYANSKY, ELIZABETH	
ART UNIT	PAPER NUMBER
1652	

MAIL DATE	DELIVERY MODE
08/22/2007	PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Interview Summary	Application No.	Applicant(s)	
	10/538,902	KAPLAN, JEFFREY B.	
	Examiner	Art Unit	
	Elizabeth Slobodyansky, PhD	1652	

All participants (applicant, applicant's representative, PTO personnel):

(1) *Elizabeth Slobodyansky, PhD*. (3)_____.

(2) *Brian Dorn (attorney)*. (4)_____.

Date of Interview: *10 August 2007*.

Type: a)☒ Telephonic b)☐ Video Conference
c)☐ Personal [copy given to: 1)☐ applicant 2)☐ applicant's representative]

Exhibit shown or demonstration conducted: d)☐ Yes e)☒ No.
If Yes, brief description: _____.

Claim(s) discussed: *7, 10,11, 15 and 42 (draft)*.

Identification of prior art discussed: *none*.

Agreement with respect to the claims f)☐ was reached. g)☒ was not reached. h)☐ N/A.

Substance of Interview including description of the general nature of what was agreed to if an agreement was reached, or any other comments: *With regard to claim 7, it appears that there is no support for at least 95% identity to an amino acid sequence only to a nucleotide sequence. Furthermore, "glycosyl hydrolase activity" would raise 112, 1st paragraph issues. It was explained that only methods of use of the allowable product will be rejoined not another product such as a medical device, for example*.

(A fuller description, if necessary, and a copy of the amendments which the examiner agreed would render the claims allowable, if available, must be attached. Also, where no copy of the amendments that would render the claims allowable is available, a summary thereof must be attached.)

THE FORMAL WRITTEN REPLY TO THE LAST OFFICE ACTION MUST INCLUDE THE SUBSTANCE OF THE INTERVIEW. (See MPEP Section 713.04). If a reply to the last Office action has already been filed, APPLICANT IS GIVEN A NON-EXTENDABLE PERIOD OF THE LONGER OF ONE MONTH OR THIRTY DAYS FROM THIS INTERVIEW DATE, OR THE MAILING DATE OF THIS INTERVIEW SUMMARY FORM, WHICHEVER IS LATER, TO FILE A STATEMENT OF THE SUBSTANCE OF THE INTERVIEW. See Summary of Record of Interview requirements on reverse side or on attached sheet.

ELIZABETH SLOBODYANSKY, PH.D
PRIMARY EXAMINER

E. Slobodyansky

Examiner's signature, if required

Examiner Note: You must sign this form unless it is an Attachment to a signed Office action.

Summary of Record of Interview Requirements

Manual of Patent Examining Procedure (MPEP), Section 713.04, Substance of Interview Must be Made of Record
A complete written statement as to the substance of any face-to-face, video conference, or telephone interview with regard to an application must be made of record in the application whether or not an agreement with the examiner was reached at the interview.

Title 37 Code of Federal Regulations (CFR) § 1.133 Interviews
Paragraph (b)
In every instance where reconsideration is requested in view of an interview with an examiner, a complete written statement of the reasons presented at the interview as warranting favorable action must be filed by the applicant. An interview does not remove the necessity for reply to Office action as specified in §§ 1.111, 1.135. (35 U.S.C. 132)

37 CFR §1.2 Business to be transacted in writing.
All business with the Patent or Trademark Office should be transacted in writing. The personal attendance of applicants or their attorneys or agents at the Patent and Trademark Office is unnecessary. The action of the Patent and Trademark Office will be based exclusively on the written record in the Office. No attention will be paid to any alleged oral promise, stipulation, or understanding in relation to which there is disagreement or doubt.

The action of the Patent and Trademark Office cannot be based exclusively on the written record in the Office if that record is itself incomplete through the failure to record the substance of interviews.

It is the responsibility of the applicant or the attorney or agent to make the substance of an interview of record in the application file, unless the examiner indicates he or she will do so. It is the examiner's responsibility to see that such a record is made and to correct material inaccuracies which bear directly on the question of patentability.

Examiners must complete an Interview Summary Form for each interview held where a matter of substance has been discussed during the interview by checking the appropriate boxes and filling in the blanks. Discussions regarding only procedural matters, directed solely to restriction requirements for which interview recordation is otherwise provided for in Section 812.01 of the Manual of Patent Examining Procedure, or pointing out typographical errors or unreadable script in Office actions or the like, are excluded from the interview recordation procedures below. Where the substance of an interview is completely recorded in an Examiners Amendment, no separate Interview Summary Record is required.

The Interview Summary Form shall be given an appropriate Paper No., placed in the right hand portion of the file, and listed on the "Contents" section of the file wrapper. In a personal interview, a duplicate of the Form is given to the applicant (or attorney or agent) at the conclusion of the interview. In the case of a telephone or video-conference interview, the copy is mailed to the applicant's correspondence address either with or prior to the next official communication. If additional correspondence from the examiner is not likely before an allowance or if other circumstances dictate, the Form should be mailed promptly after the interview rather than with the next official communication.

The Form provides for recordation of the following information:
- Application Number (Series Code and Serial Number)
- Name of applicant
- Name of examiner
- Date of interview
- Type of interview (telephonic, video-conference, or personal)
- Name of participant(s) (applicant, attorney or agent, examiner, other PTO personnel, etc.)
- An indication whether or not an exhibit was shown or a demonstration conducted
- An identification of the specific prior art discussed
- An indication whether an agreement was reached and if so, a description of the general nature of the agreement (may be by attachment of a copy of amendments or claims agreed as being allowable). Note: Agreement as to allowability is tentative and does not restrict further action by the examiner to the contrary.
- The signature of the examiner who conducted the interview (if Form is not an attachment to a signed Office action)

It is desirable that the examiner orally remind the applicant of his or her obligation to record the substance of the interview of each case. It should be noted, however, that the Interview Summary Form will not normally be considered a complete and proper recordation of the interview unless it includes, or is supplemented by the applicant or the examiner to include, all of the applicable items required below concerning the substance of the interview.

A complete and proper recordation of the substance of any interview should include at least the following applicable items:
1) A brief description of the nature of any exhibit shown or any demonstration conducted,
2) an identification of the claims discussed,
3) an identification of the specific prior art discussed,
4) an identification of the principal proposed amendments of a substantive nature discussed, unless these are already described on the Interview Summary Form completed by the Examiner,
5) a brief identification of the general thrust of the principal arguments presented to the examiner,
   (The identification of arguments need not be lengthy or elaborate. A verbatim or highly detailed description of the arguments is not required. The identification of the arguments is sufficient if the general nature or thrust of the principal arguments made to the examiner can be understood in the context of the application file. Of course, the applicant may desire to emphasize and fully describe those arguments which he or she feels were or might be persuasive to the examiner.)
6) a general indication of any other pertinent matters discussed, and
7) if appropriate, the general results or outcome of the interview unless already described in the Interview Summary Form completed by the examiner.

Examiners are expected to carefully review the applicant's record of the substance of an interview. If the record is not complete and accurate, the examiner will give the applicant an extendable one month time period to correct the record.

Examiner to Check for Accuracy

If the claims are allowable for other reasons of record, the examiner should send a letter setting forth the examiner's version of the statement attributed to him or her. If the record is complete and accurate, the examiner should place the indication, "Interview Record OK" on the paper recording the substance of the interview along with the date and the examiner's initials.

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Fax Transmission | August 9, 2007

To:	Examiner Elizabeth Slobodyansky	From:	Brian R. Dorn
Company:	USPTO	Our Ref.:	60327.12USWO
Your Ref:	Application No. 10/538,902	Fax No.:	612.332.9081
Fax No.:	571.273.0941	Phone No.:	612.766.6025
Confirmation Via Mail:	☐ Yes ☒ No	Total Pages:	4
		E-Mail:	bdorn@merchantgould.com
		Return Fax To:	Sheryl Boerboom (31.W03)

Document Transmitted:

Message:

FOR DISCUSSION PURPOSES ONLY

Proposed Claims
USSN 10/538, 902
NOT for filing
For Discussion Purposes ONLY

1-6. Cancelled.

7. (Currently Amended) An isolated Dispersin B (DspB) polypeptide ~~An isolated amino acid sequence~~ comprising a polypeptide of 95% amino acid identity to ~~encoded by the nucleic acid sequence of claim 1, 2, 3 or 4~~ amino acid residues 15 [illegible] to SEQ ID NO:2, wherein the DspB polypeptide has glycosyl hydrolase activity.

8-9. Cancelled.

10. (Currently Amended) A fusion protein comprising the DspB polypeptide of claim 7 ~~amino acid sequence of claim 8 or 9~~ and a second polypeptide.

11. (Currently Amended) A pharmaceutical composition comprising an effective amount of the DspB polypeptide of claim 7 ~~isolated soluble, β-N-acetylglucosaminidase protein or active fragment or variant thereof of claim 8 or 9~~ and a pharmaceutically acceptable carrier.

12. Cancelled.

13. (Withdrawn and Currently Amended) A medical device comprising ~~coated with~~ the DspB polypeptide of claim 7 ~~isolated soluble, β-N-acetylglucosaminidase protein or active fragment or variant thereof of claim 8 or 9~~.

14. (Withdrawn and Currently Amended) A wound dressing ~~healing device impregnated with~~ comprising the DspB polypeptide of claim 7 ~~isolated soluble, β-N-acetylglucosaminidase protein or active fragment or variant thereof of claim 8 or 9~~.

15. (Currently Amended) A liquid antiseptic solution comprising the DspB polypeptide of claim 7 ~~isolated soluble, β-N-acetylglucosaminidase protein or active fragment or variant thereof of claim 8 or 9~~ and an antimicrobial.

16-20. Cancelled

Proposed Claims
USSN 10/538, 902
NOT for filing
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21. (Withdrawn and Currently Amended) A method ~~for promoting~~ of modulating detachment of bacterial or fungal cells from a biofilm comprising contacting bacterial cells with the DspB polypeptide of claim 7 ~~a protein of claim 9, so that detachment of~~ wherein bacterial or fungal cells from a the biofilm detach ~~is promoted~~.

22-25. Cancelled

26. (Withdrawn and Currently Amended) A method of ~~inhibiting, preventing or~~ treating a bacterial or fungal infection ~~infections~~ comprising administering the DspB polypeptide of claim 7, wherein biofilm growth or activity is inhibited ~~to an organism a protein of claim 9 so that detachment of bacterial or fungal cells from a biofilm is promoted~~.

27-34. Cancelled.

35. (New) A composition comprising the DspB polypeptide of claim 7 and an antibiotic.

36. (New) The medical device of claim 13, wherein the medical device is a catheter.

37. (New) The wound dressing of claim 14, wherein the wound dressing is gauze or a sponge.

38. (New) The medical device of claim 13, wherein the medical device is selected from the group consisting of a central venous catheter, an intravascular catheter, an urinary catheter, a Hickman catheter, a peritoneal dialysis catheter, an endotracheal catheter, a mechanical heart valve, a cardiac pacemaker, an arteriovenous shunt, a schleral buckle, a prosthetic joint, a tympanostomy tube, a tracheostomy tube, a voice prosthetic, a penile prosthetic, an artificial urinary sphincter, a synthetic pubovaginal sling, a surgical suture, a bone anchor, a bone screw, an intraocular lens, a contact lens, an intrauterine device, an aortofemoral graft, and a vascular graft.

39. (New) The medical device of claim 13 further comprising a peptide quorom-sensing inhibitor.

Proposed Claims
USSN 10/538, 902
NOT for filing
For Discussion Purposes ONLY

40. (New) The wound dressing of claim 14 further comprising a peptide quorom-sensing inhibitor.

41. (New) The pharmaceutical composition of claim 1[illegible] wherein the composition is an ointment, cream, or lotion.

42. (New) The isolated DspB polypeptide of claim [illegible] wherein the polypeptide is encoded by a nucleic acid sequenece of at least 95% sequence identity to nucleotides 43 to 1143 of SEQ ID NO:1.